

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
JUNE 4, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Luis G. Sariñana and Anthony Cobos. Absent: None. Council Member Paul Joseph Escobar entered the meeting at 10:55 a.m. Meeting was called to order and the invocation was given by Reverend Thomas Broom, St. Paul's United Methodist Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Airport Display Agreement with the Government of the State of Chihuahua-Secretaryship of Commercial and Tourism Development, providing for the display of a large back lit map of the State of Chihuahua featuring points of interest and tourism attractions within the area at the El Paso International Airport.

Representative Sumrall asked Mr. Patrick Abeln, Director of Aviation, whether the State of Chihuahua would reciprocate by placing a map of El Paso in their airport.

Mr. Abeln explained that he would be meeting with Chihuahua officials tomorrow regarding same. He explained that the display in the El Paso International Airport would be beneficial to travelers traveling into Mexico as the display offers a lesson in geography.

Ing. Leopoldo Mares, State of Chihuahua, commented that it was an honor to come to the City of El Paso to sign the Resolution for the display/map.

Mayor Raymond C. Caballero stated that the map was very beautiful and commented on the recent signing of the Sister Cities Resolution with Ciudad Juarez and the importance of both communities. He said he also looked forward to the El Paso map being displayed in the Chihuahua airport.

Motion made by Representative Medina, seconded by Representative Cobos and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

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No action was taken regarding the presentation of the Traffic Management Center, Engineering Department.

Mr. Gonzalo Cedillos, Deputy Director of Engineering, explained projects pertaining to the Traffic Division of the Engineering Department, specifically the Traffic Management Center Computerized Signal System.

Representative Sumrall explained that when she first came aboard she had toured all the City Departments and was very impressed with the ability of Ms. Lourdes Cardenas, Traffic Engineer IV, to improvise with the antiquated equipment previously utilized by the Traffic Department. She commended Ms. Cardenas on her exceptional abilities.

Representative Medina commented on the inability of the signal system to record and stated that the system could be utilized to prevent crime, study accidents, etc.

Mr. Charlie McNabb, Chief Administrative Officer, explained that TXDOT would be in control of the cameras and noted that very large financial issues were involved such as the physical impossibility to maintain videos of all intersections all day and all night.

Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

Representative Escobar was not present for the vote.

*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of April 30, 2002.

Motion made, seconded and unanimously carried to move to Executive Session the Resolution authorizing the Police Department to give assistance to the El Paso Police Explorer Post and to expend funds for and travel to and attend the National Explorer Conference on from July 8 through July 13, 2002 in Flagstaff, Arizona with a maximum of 17 Police Explorer Scouts from El Paso.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lease Agreement (Lease No. DTFA07-03-L-00500) replacing the expiring July 1, 1982 Lease, No DTFA07-82-L-01026 between the City of El Paso, Texas and the United States of America, represented by the Federal Aviation Administration, for a Remote Transmitter Site at El Paso International Airport.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art and the Mayor be authorized to sign the loan agreement for the exhibition *True Grit: Seven Female Visionaries Before Feminism*, on behalf of the City of El Paso.

The exhibition was organized by Curatorial Assistance Traveling Exhibitions. An anonymous donor has contributed \$10,000.00 towards the \$10,500.00 loan fee. The cost to the City of El Paso will be \$6,250.00 for the remaining loan fee, and insurance and transportation.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized, on behalf of the City of El Paso, to lend on an exchange basis the following work:

1. One (1) oil on canvas by Bartolomé Esteban Murillo entitled *Ecce Homo* to The Metropolitan Museum of Art, New York, the exhibition *The French Taste for Spanish Culture (2/24/03-5/25/03)* in exchange for the loan of one (1) oil on canvas by Claude Monet entitled *The Doge's Palace seen from San Giorgio Maggiore*.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a lease agreement by and between the City of El Paso and the Advocacy Center for the Children of El Paso for the use of offices, utilities and telephone services by El Paso police officers at the Center's facilities beginning on July 1, 2002 and running on a month-to-month basis.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the Far West Texas & Southern New Mexico Regional Advisory Council on Trauma, and accept the award of a Compaq Presario laptop computer and a Viewsonic LCD projector for use by the El Paso Police Department's Central Regional Command Center. No matching funds required.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept donations from various business, civic organizations and citizens of money, items to assist with community clean-up projects and sealed refreshments for volunteers for Pride Day on October 19, 2002; that the Chief of Police or his designee compile a list of all contributions; and that the City Council finds a public purpose in the distribution of any donated refreshments to volunteers working with community clean-up projects on Pride Day.

***RESOLUTION**

WHEREAS, the Housing Finance Corporation Act, Chapter 2256 Government Code authorizes the creation of Housing Finance Corporations, and

WHEREAS, the City of El Paso has approved the incorporation of the El Paso Housing Finance Corporation pursuant to the Housing Finance Corporations Act which incorporation took place in 1979, and

WHEREAS, the Articles of Incorporation and the Articles of Amendment of the El Paso Housing Finance Corporation provide for appointment of members of the Board of Directors to be appointed by written resolution of the governing body of the City of El Paso, Texas, and

WHEREAS, John Cook, who has heretofore been appointed, has resigned from the Board of Directors, and

WHEREAS, the City Council desires to appoint a new director to the Board of Directors to fill his term.

NOW THEREFORE, be it resolved by the City Council of the City of El Paso:

Section 1. That Jan Sumrall is appointed to the Board of Directors of the El Paso Housing Finance Corporation to fill the remaining term of John Cook.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Application for Renewal on behalf of the El Paso City-County Health and Environmental District. The Application for Renewal is used to renew the certificate of registration issued by the Texas Department of Public Safety under the Texas Controlled Substances Act.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Protocol Partner Agreement with the University of Texas (UTEP) and the City of El Paso Parks & Recreation Department – **Pavo Real Recreation Center**, to participate as a Program Partner of Paso Del Norte Assets for Youth/Americorp, an affiliated program of the Corporation for National Service and the Texas Commission on Volunteerism Service. The terms and conditions of service defined in this agreement have been designed to conform to the regulations and guidelines established by the Corporation for National Service. No Cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Protocol Partner Agreement with the University of Texas (UTEP) and the City of El Paso Parks & Recreation Department – **Youth Outreach Program**, to participate as a Program Partner of Paso Del Norte Assets for Youth/Americorp, an affiliated program of the Corporation for National Service and the Texas Commission on Volunteerism Service. The terms and conditions of service defined in this agreement have been designed to conform to the regulations and guidelines established by the Corporation for National Service. No Cost to the City.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **YADIRA SAENZ** as a Programmer Analyst, for the El Paso Water Utilities at a biweekly rate of \$1,560.04, for 40 hours per week. The term of the contract shall be for the period of June 5, 2002 through June 4, 2004.

Representative Cobos questioned Ms. Terry A. Bond, Director of Personnel, as to the number of applications the Personnel Department had received.

Ms. Bond responded that she would provide Representative Cobos that information as soon as possible. She relayed that the contract was for two years and expressed that the Personnel Department was providing opportunities to individual(s) so that the individual(s) would consider a permanent position within the City. She remarked that the individual listed on the Agenda had extensive experience and was very well qualified educationally. She noted that the final decision was made by Mr. Ed Archuleta, General Manager El Paso Water Utility and Public Service Board.

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the CITY OF EL PASO and the following individuals for various branches of the El Paso Public Library.

1. Irene Pistella, Price's Captain Calcium
2. Javier Meza
3. Fred Sunderman, Railroad Model and Historical Association of El Paso

There is no cost to the city.

NOTE: Resolution was revised to read "1. Irene Pistella, Price's Captain Calcium"

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Agreement between the City of El Paso and Resource Consultants, Inc. Training and Preparedness Support Systems for Youth to establish a working and mutually beneficial relationship to provide interesting and productive training to youths who participate in the Training and Preparedness Support Systems for Youth (TAPSS) and to set forth the relative responsibilities of the parties insofar as they relate to the planning and implementation of individual and mutual duties, obligations, and responsibilities pursuant to the Workforce Investment Act of 1998.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JOHN J. CLANCY**, to perform an assessment center for the Assistant Personnel Director from June 5, 2002 through November 30, 2002. The total amount of the contract shall not exceed \$9,000.00 with expenses not to exceed 5,500.

Representative Cook questioned the amount of the contract.

Ms. Terry A. Bond, Director of Personnel, explained that the dollar amount was the rate for an assessment center and remarked that the City had utilized Mr. Clancy's services in previous assessments regarding Department Head positions.

Mr. Charlie McNabb, Chief Administrative Officer, responded that it might be viewed as a conflict of interest if Ms. Bond were involved in the assessment. He noted that the item had been budgeted for and in the future the City would try hard not to use these types of professionals.

Ms. Bond noted that local candidates would be applying for the position to include individuals currently employed in the Personnel Department which would explain the necessity for Mr. Clancy's expertise.

Mr. McNabb explained what was involved in an assessment center and remarked that assessment centers were very complicated and individual(s) should be trained in such matters.

Representative Cobos asked whether "Kelly Services" might be utilized.

Ms. Bond responded employment agencies provide recruitment services, not assessment center(s) services.

Motion made by Representative Cook, seconded by Representative Power and carried to approve the above Resolution.

Representatives Sumrall, Sariñana and Cobos voted Nay.
Representative Escobar was not present for the vote.

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*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Guillermo G. Salas, Laborer
- B. Rosa Maria Balderrama, Clerk Typist III

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*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Laborer (1)

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Economic Development (Community Development)

Add	1.0	Planner I	PM 72
Add	1.0	Contract Research Analyst	Contract
Add	1.0	Secretary I	GS13
Delete	1.0	VOE	Temporary

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Equipment Maintenance

Delete	1.0	Information Processor Operator	GS14
Add	1.0	Information Entry Operator	GS12

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Solid Waste Management

Add	15.0	Auto Refuse Collection Operator	GS15
Delete	15.0	Refuse Collection Assistant Route Foreman	GS11

*Motion made, seconded and unanimously carried to re-appoint Rene Jamis to the City Accessibility Advisory Committee for the Handicapped by Representative Rodriguez.

*Motion made, seconded and unanimously carried to re-appoint Elma R. Carreto to the City Plan Commission by Representative Rodriguez.

*Motion made, seconded and unanimously carried to re-appoint Nicholas Miller to the City/County Animal Shelter Advisory Committee by Representative Rodriguez.

*Motion made, seconded and unanimously carried to appoint Estrella Escobar to the El Paso Public Arts Commission by Representative Sumrall.

*Motion made, seconded and unanimously carried to appoint Lorraine Huit to the El Paso Public Arts Commission by Representative Sumrall.

*Motion made, seconded and unanimously carried to appoint Jerome L. Tilghman to the Airport Board by Representative Rodriguez.

*Motion made, seconded and unanimously carried to appoint Maria A. Natividad to the Arts Resources Board by Representative Rodriguez.

*Motion made, seconded and unanimously carried to appoint Ruth Katherine Brennand to the El Paso Public Arts Commission by Representative Rodriguez.

*Motion made, seconded and unanimously carried to appoint Nestor A. Valencia to the El Paso Public Arts Commission by Representative Rodriguez.

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #C878-000-0050-0030, \$261.15 per month installments on a balance of \$2,089.20 for 1995 & 1996 taxes; Mario & Myrna Saenz 10982 Lydia.
- B. PID #'s E014-999-0100-9100, E014-999-0100-8100 & E014-999-0100-9101, \$562.27 per month installments on a balance of \$4,498.16 for 2001 taxes; Benjamin Ornelas – 3504 - 3506 Alameda Ave.
- C. PID #K216-999-0280-4100, \$885.55 per month installments on a balance of \$8,855.50 for 2001 taxes; Clarisse & Eric Colvard – 911 Cincinnati Ave.
- D. PID #M633-999-0070-0100, \$2,109.15 per month installments on a balance of \$12,654.90 for 2001 taxes; L & L Enterprises – 3800 Mattox.
- E. PID #S812-999-0110-1500, \$302.04 per month installments on a balance of \$2,416.32 for 2001 taxes; Laura Salazar – 12244 Robert Dahl.
- F. PID #T527-999-0270-1000, \$186.25 per month installments on a balance of \$2,235.00 per month installments on a balance of \$2,235.00 for 2001 taxes; Pedro & Maria Medrano – 5407 Raymond Telles.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Phillips Petroleum Company, in the amount of \$4,819.93; overpayment of 2001 taxes.
(PID #2000-000-2895-0058)
- B. Clear Channel Broadcasting, in the amount of \$4,448.72; overpayment of 2001 taxes.
(PID #2001-999-1056-0034)
- C. Chase Manhattan, in the amount of \$3,371.06; overpayment of 2001 taxes.
(PID #C340-999-0230-6100)
- D. Irene C. Uhrig or Henry T. Uhrig, in the amount of \$3,231.35; overpayment of 2001 taxes.
(PID #C340-999-1480-1600)
- E. Richard R. Flores, in the amount of \$707.18; overpayment of 2001 taxes.
(PID #F550-999-0000-7700)
- F. Transamerica Real Estate Tax Service, in the amount of \$1,075.42; overpayment of 2001 taxes.
(PID #G686-999-0840-0100)
- G. Transamerica Real Estate Tax Service, in the amount of \$5,811.22; overpayment of 2001 taxes.
(PID #L211-999-0010-0200)
- H. Transamerica Real Estate Tax Service, in the amount of \$5,616.80; overpayment of 2000 taxes.
(PID #L211-999-0010-0200)
- I. Washington Mutual, in the amount of \$619.47; overpayment of 2001 taxes.
(PID #N460-999-0040-1500)
- J. Ocwen Federal Bank, FSB, in the amount of \$1,889.86; overpayment of 2001 taxes.
(PID #P324-999-0140-1100)
- K. Transamerica Real Estate Tax Service, in the amount of \$2,046.36; overpayment of 2000 taxes.
(PID #P605-999-0050-0600)
- L. Chase Manhattan Mortgage Corp., in the amount of \$2,779.59; overpayment of 2001 taxes.
(PID #R574-999-0030-0100)
- M. Washington Mutual, in the amount of \$527.84; overpayment of 2001 taxes.
(PID #S033-999-0060-3700)
- N. Transamerica Real Estate Tax Service, in the amount of \$3,667.46; overpayment of 1999 taxes.
(PID #S812-999-0080-2000)
- O. Transamerica Real Estate Tax Service, in the amount of \$3,935.91; overpayment of 2001 taxes.
(PID #V893-999-150A-2300)
- P. Washington Mutual, in the amount of \$1,892.14; overpayment of 2001 taxes.
(PID #V897-999-0500-2400)
- Q. Washington Mutual, in the amount of \$1,169.65; overpayment of 2001 taxes.
(PID #V897-999-0870-0100)
- R. Chase Manhattan Mortgage Corp., in the amount of \$1,797.72; overpayment of 2001 taxes.
(PID #W195-999-0020-8900)
- S. Transamerica Real Estate Tax Service, in the amount of \$4,072.13; overpayment of 2000 taxes.
(PID #W418-999-0050-0600)
- T. Transamerica Real Estate Tax Service, in the amount of \$891.37; overpayment of 1999 taxes.
(PID #X579-999-2440-0120)
- U. Enrique Herrera, in the amount of \$512.61; overpayment of 2001 taxes.
(PID #H010-000-0270-0110)

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*Motion made, seconded and unanimously carried to approve the request to allocate \$2,000.00 from District 1 Discretionary Funds for rabies vaccinations of animals belonging to people of low income.
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*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to issue purchase orders to Texas Department of Health in the amount of \$38,902.50 for the purchase of Influenza Vaccine, in accordance with the terms and conditions of the State of Texas.
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*Motion made, seconded and unanimously carried to award Bid No. 2002-131 Rescue System

Award to: First In, Inc.
El Paso, TX
Item(s): 1, 2, 3, 4, with Options O1, O3, O5, O6
Amount: \$124,875.00

Department: Fire
Funds available: 508007-04250203-27251
Funding source: FY2002 Certificates of Obligation
Total award: \$124,875.00

The Fire and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid.

This is a fixed-price, single (one-time) purchase, to purchase Rescue System Equipment. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred and eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2002-636 AIRPORT
Transfer of funds needed for acquisition of materials to complete Airway landscaping project in conjunction with PSB per maintenance division estimates.

Increase	\$35,000	to	62620020/PAP002041056/508027	Construction
Increase	\$35,000	to	62620020/PAP002041056/407001	Intrfd Trf In
Increase	\$35,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$35,000	to	62620018/P50000241021/507001	Intrfd Trf Out

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*Motion made, seconded and unanimously carried to approve budget transfer BT2002-701 OMB
To fund City match portion of NEA "Challenge America" Grant.

Decrease	\$10,000	from	99010273/01101/504405	Contingency
Increase	\$10,000	to	99010273/01101/507000	Interfund Trf
Increase	\$10,000	to	55150003/G55021207293/406000	Fed Grt Proc
Increase	\$10,000	to	55150003/G55021207293/406003	City Mat Proc
Increase	\$ 3,200	to	55150003/G55021207293/502215	Outside Cont
Increase	\$ 8,400	to	55150003/G55021207293/502102	Artistic Fees
Increase	\$ 1,800	to	55150003/G55021207293/502411	Leases (NOC)
Increase	\$ 5,400	to	55150003/G55021207293/503116	Rec Sup
Increase	\$ 1,200	to	55150003/G55021207293/503107	PhotVideoFilm
Increase	\$10,000	to	55010303/15707/407000	Interfund Trf
Increase	\$10,000	to	55010303/15707/506000	City Grt Mat

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*Motion made, seconded and unanimously carried to approve the request of Christian Joy Center to use amplification (4 speakers, 3 microphones - 100 watts, drums, guitar) at Eastwood Album Park on July 4, 2002 from 7:00 a.m. to 7:00 p.m. Approximately 500 persons will take part. PERMIT NO. 02-060

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*Motion made, seconded and unanimously carried to approve the request of Roxann Ortega/Greater El Paso District Physical Therapy to hold a 5k Run/Walk/Wheel on September 28, 2002 from 8:00 a.m. to 10:00 a.m. Route: Start at Ponder Park, north on Juniper, right onto Edgemere (west) to crossover at Hawkins then back on Edgemere (west) to turnaround at crossover before Airway, Edgemere (east), right on Juniper to Ponder Park. Approximately 300 persons, 2 vehicles and 15- 20 wheelchair participants will

take part and 100 spectators are anticipated. This request includes permission to use amplification (1 bullhorn, microphone). PERMIT NO. 02-061

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*Motion made, seconded and unanimously carried to approve the request of Centro de Salud Familiar La Fe to hold a 5k run/walk on June 15, 2002 from 7:30 a.m. to 9:30 a.m. Route: Start at Fr. Rahm to Kansas, to Ninth, to Campbell, to Seventh, to Park, to Sixth, to Campbell, to Paisano, to Delta, to Cotton, to Fr. Rahm, ending at 700 S. Ochoa. Approximately 250 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 portable amplifier). PERMIT NO. 02-065

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*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to hold a procession on June 7, 2002 from 6:00 p.m. to 7:30 p.m. Route: Start at 602 S. Oregon to Fr. Rahm, to Ochoa, to Seventh, to Kansas, to Eighth, back to 602 S. Oregon. Approximately 125 persons and 2 vehicles will take part. This request includes permission to use amplification (1 microphone, 1 20-watt amplifier, 1 speaker mounted on vehicle). PERMIT NO. 02-067

NOTE: Motion was revised to read "Route: Start at 602 S. Oregon to Fr. Rahm, to Ochoa, to Seventh, to Kansas, to Eighth, back to 602 S. Oregon" instead of "Start at 602 S. Ochoa".

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*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to block off S. Oregon between Fourth and Fr. Rahm on June 7, 2002 from 6:00 p.m. to 11:59 p.m. and on June 8, 2002 from 9:00 a.m. to 11:00 p.m. for a parish patronal feastblock party. Approximately 60 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-068

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ORDINANCE 15109

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 5C9, BLOCK 2, ASCARATE GRANT, EL PASO, EL PASO COUNTY, TEXAS (6342 AIRPORT ROAD) FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Patricia Adatao, Director of Planning, presented slides and explained the Ordinance for Council Members' information. She noted this is an APPEAL ZONING CASE that the DCC (Development Coordinating Committee) had recommended unanimously to deny, and the CPC (City Plan Commission) recommended denial with a vote of 3 to 2. She explained that the Planning Department had received one letter of opposition from Mr. Orlando Griego.

Representative Cook questioned what other automotive uses were in the area.

Ms. Adatao explained that a small space within the shopping center was utilized for automotive repairs.

Representative Medina remarked that he was familiar with the area and noted one business that did not provide adequate parking.

Mr. David Etzold, representing the applicant, stated he had discussed matters with Mr. Griego and asked Council Members to grant the zoning change request. He noted that there was heavy traffic on Airport Road and this lot would be a good location for the applicant.

Representative Cook questioned Mr. Etzold regarding landscape buffers.

Mr. Tomberlin, applicant, discussed the expense and extent of the landscaping, painting and re-roofing improvements he had made to the property. He stated that plans for a ponding area were in the Engineering Department for review and that he would be paving from in front of the building to the street in the near future. He explained that he would mark the businesses parking spaces and would police the parking situation himself.

Representative Medina remarked that the improvements to the property had been dramatic and greatly improved the area.

Representative Sumrall questioned how long the lease for the day care center was. Mr. Tomberlin responded one or two years.

Mr. Orlando Griego, day care center owner, explained that he has been in this same location for 8 ½ years and appreciated Representative Medina's assistance. He stated he had pleaded with the landlord to take care of the parking situation, to no avail, and that his only recourse was to come to City Hall for help. He felt that the C-3 zoning would authorize the tenant to utilize the space illegally and that changing the zoning would neither increase nor decrease the amount of traffic on Airport Road.

Representative Sariñana noted C-1 zoning did not allow for vehicle sales.

Representative Medina noted he had toured the facility earlier and had seen many illegalities. He asked all individuals involved to obey the law(s).

Motion duly made by Representative Medina, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

- AYES: Council Members Medina, Cook, Power, Sariñana and Cobos
- NAYS: Council Members Sumrall and Rodriguez
- Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Escobar was not present for the vote.

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ORDINANCE 15110

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), TO ADD CHAPTER 12.26 (CRUISING); TO DEFINE CRUISING AND TO PROHIBIT CRUISING ON CERTAIN STREETS OF THE CITY DURING DESIGNATED HOURS; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Power thanked the Police Department, members of the various car clubs and fellow Council Members for their cooperation in finding an equitable solution. He referred to the Legislative Meeting of the Whole held on Monday, June 3, when the cruising Ordinance was discussed, and explained that Mr. Pat Goff, local businessman, had made arrangements with Clear Channel to work with the local car clubs to provide a location for the cruisers to cruise. He noted that the City would be investigating other ways to provide cruising events in the downtown area.

Representative Cobos thanked Representative Power for pushing the issue through to finality and for finding alternatives for cruising. He explained that the Union Plaza would be utilized for future cruising events and that Mr. Joe Dorgan, Club 101 owner, would open his club on Sundays for the cruisers and all El Pasoans. He thanked the car association presidents for their professionalism and looked forward to the upcoming events.

Mr. Martin McClure, Jr., 1320 Club President, C. C. R. A. President, thanked the City Council for helping everyone come to a conclusion.

Representative Power thanked Mr. McClure for his leadership and asked that the Ordinance be passed with an effective date of July 1, which would allow the City Attorney's office to work out other issues.

Ms. Rita Rodriguez, City Attorney, responded the effective date would be July 2nd as that would be a City Council meeting date. She noted that the Ordinance passed today would create the non-cruising zones.

Mr. David Contreras, 1320 Vice-President and C. C. R. A. member/supporter, also thanked the City Council and invited Council Members to the downtown events on Sunday nights.

Representative Medina questioned the deletion of some City streets in the Ordinance. He commended Representative Power for following through on the passing of the Ordinance.

Representative Rodriguez asked to amend the Ordinance by adding Dyer Street from Hondo Pass to Pershing.

Mr. Leo Rivera, El Paso Lowrider Association, stated low riding was part of El Paso's heritage and invited all Council Members to see the cars.

Ms. Angel Wickherd, residing in the 2300 block of Lee Trevino, explained that her home was located behind Lee Trevino and stated that she was happy to see the cruisers not in her neighborhood. She stated she was concerned regarding the speeders on Lee Trevino and asked that speed bumps be placed in the street to prevent future speeding through her neighborhood.

Mayor Raymond C. Caballero explained that safety must always be addressed and that the Traffic/Engineering Department has many options which could alleviate speeding, other than speed bumps. He thanked Ms. Wickherd for stating her concerns.

Ms. Elaine Hengen, Assistant City Attorney, remarked that the Motion to approve the Ordinance would include the deletion of Section 5.

Representative Sumrall asked to revise the ordinance to add Doniphan from the City limits north side to Sunland Park Drive. Montana from Lee Trevino to Trowbridge was also added to the non-cruising areas.

Motion duly made by Representative Sumrall, seconded by Representative Cook that the Ordinance be adopted, as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15111

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO THE STATE OF TEXAS A PARCEL OF LAND CONSISTING OF APPROXIMATELY 3515.6 SQUARE METERS (37,842 SQUARE FEET), OUT OF THE REPLAT OF LOTS 12 TO 22, PAISANO ADDITION, A SUBDIVISION OUT OF TRACT 2A, BLOCK 19, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Motion duly made by Representative Escobar, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15112

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF TRANSIT PLANNING & PROGRAM MANAGER**

Motion duly made by Representative Escobar, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 7667 Elliott Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of February 25, 2002, Luis Fernandez, 7667 Elliott Drive, El Paso, Texas 79915, and Mark T. Davis, Substitute Trustee, 8517 Lockheed Drive, El Paso, Texas 79925-1218, have been notified of the violations at his property. There are \$471.33 in delinquent taxes due on this property.
.....

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to approve that Mayor and Council terminate Contract No. 2001-152 with Kahn Chemical Co. for Sodium Bicarbonate for Convenience pursuant to Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

The user Department was notified & a new solicitation will be issued.

Department: Street

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to delete the discussion and action regarding Ordinance No. 014978 providing for the taxation of motor vehicles leased for personal use.

Representative Medina explained that a double taxation existed for leased vehicles.

Mr. Bill Chapman, Chief Financial Officer, commented on the item and recommended that the item be postponed until further information from the Central Appraisal District could be provided.

Representative Cook questioned whether individuals leasing cars for personal use would be excluded.

Ms. Rita Rodriguez, City Attorney, advised that the City could not amend the Ordinance; therefore, a new Ordinance would need drafting.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on hiring independent legal council to represent and advise the legislative branch of the municipal government on issues related to the relationship of the City of El Paso and the Public Service Board. (Representative Cook and Representative Cobos)

.....
Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing, as revised:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to amend the speed limit to twenty miles per hour, on Eighth Avenue between Campbell Street and Park Street. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- B. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **CHIEF PLANS EXAMINER**
- C. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **CUSTOMER RELATIONS MANAGER**
- D. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **CHIEF BUILDING INSPECTOR**

E. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ZONING ADMINISTRATOR

NOTE: Ordinance was revised to remove the word "Board"

PUBLIC HEARING WILL BE HELD ON JUNE 18, 2002 FOR ITEM A - E

- F.** An Ordinance changing the zoning of a portion of Tract 4, Block 4, CASTNER RANGE, El Paso, El Paso County, Texas (South of Diana Drive and West of Stonewall Road) as follows: Parcel 1, from A-O (Apartment-Office) to R-3A (Residential); and Parcel 2, from A-O (Apartment-Office) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc./ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936. ZC-02012
- G.** An Ordinance granting Special Permit No. SU-02008, to allow for a planned residential development with reduced rear setbacks on a portion of Tract 4, Block 4, CASTNER RANGE, El Paso, El Paso County, Texas (South of Diana Drive and West of Stonewall Road) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. Zone: R-3A (Residential) Applicant: Tropicana Homes, Inc./ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936
- H.** An Ordinance changing the zoning of Lot 3, Block 14, VISTA DEL SOL UNIT 10 REPLAT, El Paso, El Paso County, Texas (1477 Lomaland Drive) from P-I (Planned Industrial) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Scot Properties, Inc./ Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936 ZC-02016
- I.** An Ordinance changing the zoning of the North 220 Feet of Tract 225, SUNRISE ACRES NO. 2, El Paso, El Paso County, Texas (4650 Vulcan Drive) from R-4 (Residential) to A-M (Apartment-Mobile Home). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Martha Yee/ Representative: Luis De La Cruz, 9013 Lait, El Paso, TX 79925. ZC-02017
- J.** An Ordinance changing the zoning of portions of Tracts 3A1 and 3A2, S.A. & M.G. RAILROAD SURVEY NO. 266, and a portion of Lot 1, Block 4, SUNSET VIEW SUBDIVISION, El Paso, El Paso County, Texas (South of Starry Night Drive and West of I-10) as follows: Parcel 1, from R-3 (Residential) to C-3 (Commercial) and imposing certain conditions; and Parcel 2, from R-3 (Residential) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc./ Representative: CEA Engineering Group, 2718 Wyoming, El Paso, TX 79903 ZC-02011
- K.** An Ordinance Granting Special Permit No. SU-02006, to allow for a planned residential development with reduced rear setbacks on portions of Tracts 3A1 & 3A2, S.A. & M.G. RAILROAD SURVEY NO. 266, El Paso, El Paso County, Texas (South of Starry Night Drive and West of I-10) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. ZONE: R-3A (Residential). Applicant: Tropicana Homes, Inc./ Representative: CEA Engineering Group, 2718 Wyoming, El Paso, TX 79903

- L. An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Article II. Definitions, Section 20.02.602 (Poster) to amend the definition of poster; Chapter 20.66 (Signs), Article II, Administration, Sections 20.66.080 (Permit Required), 20.66.090 (Application Procedure), 20.66.100 (Sign Permit Fee Formula), 20.66.130 (Prohibited Signs) of the El Paso Municipal Code to add requirements for permits for the removal of billboards; and amending Article III, Off-Premise Sign Regulations, Sections 20.66.190 (Zoning Districts), 20.66.200 (Size and Height), 20.66.210 (Setback Requirements), 20.66.220 (Spacing), and 20.66.230 (Special Control Areas) of the El Paso Municipal Code to amend the regulation standards for off-premise signs. The penalty being as provided in Chapter 20.68 (Penalty) of the Municipal Code.

NOTE: Above introduction was revised to delete the wording "and for erecting off-premise subdivisions directional signs;" as shown on the Agenda.

PUBLIC HEARING WILL BE HELD ON JUNE 25, 2002 FOR ITEMS F - L

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

Whereas, the Southern Union Gas Company, a division of Southern Union Company, has indicated its intention of filing a statement of intent to increase rates in the City of El Paso, and

Whereas, pursuant to the Gas Utility Regulatory Act, Title 3, Texas Utilities Code, the City of El Paso exercises original jurisdiction over the rates and service of Southern Union Gas Company within the City limits of the City of El Paso, and

Whereas, in order to analyze the expected rate increase request, it is necessary for the City's consultants and attorneys to review certain information which Southern Union Gas Company contends to be confidential information, and which information would not be subject to public disclosure under the Public Information Act, Tex. Gov't Code Chapter 552, and

Whereas, Southern Union Gas Company has agreed to the terms of the attached confidentiality agreement which protects both the right of the Company to maintain certain information as being confidential and protects the obligation of the City to review and analyze the information as well as comply with the requirements of the Public Information Act.

Now, therefore, be it resolved that the Mayor, and Attorneys and Consultants representing the City are authorized to execute and abide by the provisions of the attached Confidentiality Agreement in connection with the expected rate increase request.

Representative Cobos questioned what the increase would be.

Mr. Norman Gordon, attorney, explained that the process had begun six weeks ago and that Southern Union Gas (SUG) had delayed. He added when the case had been filed at the Courthouse, the City would then have 125 days to make its decision.

Mr. Ray Gilbert, citizen, stated it was premature of the City to hire these attorneys and questioned what the attorneys had done. He discussed the last rate increase by SUG and the detriment it caused to the citizens of El Paso. He asked Council Members to keep close watch on these types of rate increases and noted that Franchise Agreements harm El Paso and its citizens.

Representative Sariñana questioned Mr. Gordon regarding whether the matter was in reference to gas or meter services.

Mr. Gordon explained there were two components: the cost of gas and the portion that pays the company for all of its costs for doing business. He stated that the City did not have a hedging contract with SUG and reiterated that SUG must file the document(s) prior to Council making any decisions.

Ms. Lisa Turner, citizen, questioned what secrets were behind the Confidentially Agreement.

Mr. Gordon explained the information that the company must maintain confidential such as individual salaries within the company and private customer information.

Mr. Gilbert remarked that salary information was vital and noted in other states that type of information would not be kept confidential.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Motion made, seconded and unanimously carried to move to the Executive Session the resolution that the Mayor is hereby authorized to execute an agreement between the City of El Paso and Five Points Development Association, Inc., for financial assistance related to the dedication ceremony of the Five Points Transit Terminal to the memory of Robert E. McKee, on June 8, 2002, which constitutes an important public purpose and benefit and civic event to the City and citizens of El Paso. The agreement provides that the City will contribute the necessary funds to cover the cost of the required City permits for the event.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the El Paso Independent School District to provide District School buses for transportation purposes regarding the Parks and Recreation "Club Rec Program."

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor and City Council Authorize the use of a city vehicle and "Gus and Goldie," to participate in the Independence Day Parade to be held by the Rotary Club of West El Paso on July 04, 002.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **SUSANA PINA** for the Arts Resources Department at the rate of \$8.67 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from June 5, 2002 through June 4, 2003.

.....
No action was taken regarding the review, discussion and action on the Ethics Commission's finding and comments to the public regarding a perceived conflict of interest by Mr. David Marcus serving on the Redistricting Commission. (Representative Cook) NOTE: This item was taken at the beginning of the meeting.

Motion made by Representative Cook, seconded by Representative Cobos to move to the forefront the review, discussion and action on the Ethics Commission's finding and comments to the public regarding a perceived conflict of interest by Mr. David Marcus serving on the Redistricting Commission. (Representative Cook)

The vote was as follows:

Representatives Sumrall, Cook, Power, Sariñana and Cobos voted Aye.
Representatives Rodriguez, Medina and Escobar voted Nay. The Motion passed.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY

Review, discussion and action on the Ethics Commission's finding and comments to the public regarding a perceived conflict of interest by Mr. David Marcus serving on the Redistricting Commission. (Representative Cook)

The vote was as follows:

Representatives Sumrall, Cook, Power, Escobar, Sariñana and Cobos voted Aye.
Representatives Rodriguez and Medina voted Nay. The Motion passed.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, at which time the following took place:

Representative Cook reiterated that the Ethics Commission had found no violation of the City Ordinance and publicly apologized to Mr. Marcus.

Representative Medina agreed with the Ethics Commission's conclusions and noted that the role of the commission was to find fault and/or improprieties. He discussed issues regarding public perception and the necessity of scientific polls to determine public perception.

Representative Sumrall asked whether any other Council Members had attended the Ethics Commission meeting and again noted that the Ethics Commission had found no improprieties. She agreed with the Commission's finding.

Representative Cobos noted Mr. Marcus' unending generosity to the community and he publicly apologized to Mr. Marcus for anything the Ethics Commission did or did not do. He discussed the redistricting matter and was saddened that the redistricting issues had caused Mr. Marcus grief.

Mr. David Marcus, citizen, stated he was overwhelmed by the Council's support and discussed appointing individuals to Committees/Commissions. He thanked the Council Members for their public apologies.

Mayor Raymond C. Caballero discussed the Ethics Commission and stated individuals appointed to the Ethics Commission take their responsibilities very seriously. He noted that the Commission was aware of Mr. Marcus' serving as campaign treasurer for Representative Cobos and Mr. Gene Finke. He hoped that clearer rules would be written that would avoid issues just as this. He commended Mr. Marcus for his tremendous contribution and stated that this was an unfortunate situation.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Personnel Item - Julie Koski (551.074)
- B. Rami N. Assam, 01-C-067 (551.071)
- C. Samuel Reveles, Sr., 02-C-039 (551.071)
- D. Sandia Properties Ltd. Co. - Park Site at SunRidge (551.071)
- E. Texas Natural Resource Conservation Commission (TNRCC) Air Quality Permit No. 20345 (551.071)
- F. State of Texas v. Baker & Taylor (551.071)
- G. Resolution authorizing the Police Department to give assistance to the El Paso Police Explorer Post and to expend funds for and travel to and attend the National Explorer Conference on from July 8 through July 13, 2002 in Flagstaff, Arizona with a maximum of 17 Police Explorer Scouts from El Paso.
- H. Resolution that the Mayor is hereby authorized to execute an agreement between the City of El Paso and Five Points Development Association, Inc., for financial assistance related to the dedication ceremony of the Five Points Transit Terminal to the memory of Robert E. McKee, on June 8, 2002, which constitutes an important public purpose and benefit and civic event to the City and citizens of El Paso. The agreement provides that the City will contribute the necessary funds to cover the cost of the required City permits for the event.
- I. Review, discussion and action on the Ethics Commission's finding and comments to the public regarding a perceived conflict of interest by Mr. David Marcus serving on the Redistricting Commission. (Representative Cook)

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Medina, seconded by Representative Sumrall and carried that the employment contract with **JULIE KOSKI** be terminated for cause.

Motion made by Representative Medina, seconded by Representative Cook and carried that claim entitled **RAMI N. ASSAM; 01-C-067** be **SETTLED** as recommended by the City Attorney. Representative Sumrall, Representative Medina and Representative Cobos voted Nay.

Motion made by Representative Medina, seconded by Representative Cook and carried that claim entitled **SAMUEL REVELES, SR.; 02-C-039** be **SETTLED** as recommended by the City Attorney.

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Comptroller be authorized to issue a check to Sandia Properties Ltd. Co. in the amount of \$56,303.41 for reimbursement of the City's one-half (1/2) portion of the total costs of providing off-site street improvements for the Sun Ridge Park Site pursuant to City Ordinance 9645.

Motion made by Representative Medina, seconded by Representative Sumrall and carried that the actions of the Mayor, in authorizing the City Attorney to submit the Comments, Request for Public Hearing and Request for Contested Case Hearing to the Texas Natural Resource Conservation Commission (TNRCC), regarding TNRCC Air Quality Permit No. 20345 renewal, are hereby ratified. Representative Cook, Representative Sariñana and Representative Cobos voted Nay.


Motion made by Representative Medina, seconded by Representative Cook and carried that City Council Authorize the City to accept, as managing fiscal agent for the Trans Pecos Library System, proceeds from a class action lawsuit entitled STATE OF TEXAS vs. BAKER & TAYLOR, INC., Cause No. GV003092, authorize the MAYOR and CITY ATTORNEY to sign all settlement documents, and authorize the City to transfer the funds to the Trans Pecos Library System as appropriate.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to deny the Resolution authorizing the Police Department to give assistance to the El Paso Police Explorer Post and to expend funds for and travel to and attend the National Explorer Conference on from July 8 through July 13, 2002 in Flagstaff, Arizona with a maximum of 17 Police Explorer Scouts from El Paso.

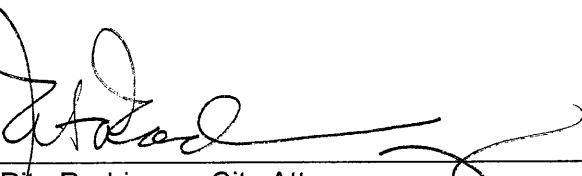
Motion made by Representative Medina, seconded by Representative Sumrall and carried to deny the Resolution that the Mayor is hereby authorized to execute an agreement between the City of El Paso and Five Points Development Association, Inc., for financial assistance related to the dedication ceremony of the Five Points Transit Terminal to the memory of Robert E. McKee, on June 8, 2002, which constitutes an important public purpose and benefit and civic event to the City and citizens of El Paso. The agreement provides that the City will contribute the necessary funds to cover the cost of the required City permits for the event. Representative Cobos voted Nay.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 12:00 p.m.

APPROVED AS TO CONTENT:


Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:


Rita Rodriguez, City Attorney